

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

<b>Javier Acosta</b>	:	<b>CIVIL ACTION NO. 1:15-cv-1125</b>
	:	
<b>Plaintiff</b>	:	<b>(Judge Kane)</b>
	:	<b>(Magistrate Judge Saporito)</b>
<b>v.</b>	:	
	:	
<b>Commissioner of Social Security</b>	:	
	:	
<b>Defendant</b>	:	

**ORDER**

Before the Court in the above captioned action is the May 12, 2016 Report and Recommendation of the Magistrate Judge. The Defendant waived the opportunity to file objections. (Doc. No. 16). **ACCORDINGLY**, this 26<sup>th</sup> day of May 2016, upon review of the record and the applicable law, **IT IS HEREBY ORDERED THAT:**

- 1) The Court adopts the Report and Recommendation (Doc. No. 15) of Magistrate Judge Saporito.
- 2) The Commissioner's decision is **VACATED**, and this case is **REMANDED** under sentence four of 42 U.S.C. § 405(g) to the Commissioner of Social Security to conduct a new administrative hearing.
- 3) The Clerk of Court shall **CLOSE** the case.

s/ Yvette Kane \_\_\_\_\_  
YVETTE KANE, District Judge  
United States District Court